

Staff Summary Report



Council Meeting Date: 06/10/04

Agenda Item Number: _____

SUBJECT: Resolution No. 2004.41 revises Personnel Rules and Regulations relating to holiday pay and medical leave.

DOCUMENT NAME: 20040610hrds01 **PERSONNEL RULES AND REGS (0301-01)**
RESOLUTION 2004.41

SUPPORTING DOCS: No

COMMENTS: Resolution No. 2004.41 amends Sections 204(I) and 503(A)(4)(a) of the City of Tempe Personnel Rules and Regulations related to compensation for working City recognized holidays and authorized use of medical leave.

PREPARED BY: Valerie F. Hernandez, Human Resources Manager (350-8407)

REVIEWED BY: N/A

LEGAL REVIEW BY: Marlene Pontrelli, City Attorney (350-8120)

FISCAL NOTE: The estimated fiscal City-wide impact of this Resolution is \$200,000 (\$160,000 General Fund impact) which is already being absorbed by the operating budgets for those departments that have been recording holiday hours consistent with this proposed policy. It is difficult to estimate the impact created from departments changing the way they record holiday hours as a result of this proposed change in policy.

RECOMMENDATION: Adopt Resolution 2004.41.

ADDITIONAL INFO: N/A

RESOLUTION 2004.41

**A RESOLUTION OF THE CITY OF TEMPE, ARIZONA,
AMENDING THE CITY'S PERSONNEL RULES &
REGULATIONS RELATING TO AUTHORIZED USE OF
MEDICAL LEAVE AND COMPENSATION FOR WORKING
CITY-RECOGNIZED HOLIDAYS.**

WHEREAS, the Tempe City Council has the authority to amend the City of Tempe Personnel Rules and Regulations at any time in accordance with Ordinance No. 88.53 and the Charter of the City of Tempe; and

WHEREAS, it is in the best interests of the City of Tempe to amend the City of Tempe Personnel Rules and Regulations related to compensation for working City recognized holidays and authorized use of medical leave;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA that Section 204 (I) and Section 503 (A)(4)(a) be amended to read as indicated in the attached Exhibit A and that any previous actions of the Council insofar as they may conflict with or be superseded by this resolution be amended or repealed.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, this _____ day of _____, 2004.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

EXHIBIT A

Section 204: Additional Compensation

I. Holiday Work

1. Non-Exempt Employees

Non-exempt employees who ~~must~~ work on A CITY RECOGNIZED holidays may be given a substitute day off during the same pay period as the holiday. Employees who ~~cannot be given~~ DO NOT RECEIVE a substitute day off receive either one and one-half (1.5) times their regular rate of pay or one and one-half (1.5) hours of Compensatory Time, in addition to their Holiday Pay for each hour worked.

2. Sworn Personnel

Sworn law enforcement Commanders who cannot be given a substitute day off may receive a stipend as established by the Police Chief's Administrative Policy.

3. When Holiday Falls on Non-Workday

Non-exempt and exempt employees will be given a substitute day off with pay if operationally possible when a holiday falls on a non-work day. The substitute day is taken during the same pay period as the holiday. If THE employees ~~cannot be granted a~~ DOES NOT TAKE A substitute HOLIDAY day OFF, ~~they~~ HE OR SHE WILL receive one (1) day's pay at ~~their~~ HIS OR HER regular rate (not overtime) in compensation for the holiday.

4. Fire Personnel

Non-exempt Fire employees working a fifty-six (56)-hour workweek are paid for 11.2 hours at one and one-half (1.5) times their regular hourly rate for each holiday in lieu of time off. Exempt Fire employees on a forty-eight (48)-hour workweek will be given a substitute day (8 hours) off with pay if operationally possible. If employees cannot be granted a substitute day, they will receive one (1) day's pay (eight (8)-hours) at their regular rate (not overtime) in compensation for the holiday.

Section 503: Medical Leave

A. Guidelines

4. Authorized Use

Paid medical leave is granted to eligible employees for: Illness or physical incapacity of the employee; or medical, dental, vision or mental health appointments

during working hours. Use of medical leave for these appointments requires approval of the employee's supervisor and is granted in accordance with the best interests of the City and the employee's health.

An employee who is on approved vacation leave shall not be allowed to use medical leave for previously approved hours of vacation leave. Department Managers may make an exception for extraordinary, unusual circumstances to the employee or his or her immediate family, which is defined as follows: Spouse, Domestic Partner, Child (step), Mother, Father, Brother, or Sister.

- a. Care of ill family members, or medical, dental, vision, or mental health appointments for family members that reasonably require the employee to accompany the family member. ~~Use of medical leave for these reasons is limited to fifty-six (56) hours per calendar year (64 hours for Fire Battalion Chiefs and seventy-two (72) hours for Firefighters) and is referred to throughout these rules as "Family Sick Leave." Regular part-time employees receive a pro-rated amount.~~ THE USE OF MEDICAL LEAVE FOR THESE REASONS IS LIMITED TO THE NUMBER OF HOURS AVAILABLE IN THE EMPLOYEE'S MEDICAL LEAVE BANK.

Employees must exhaust their own vacation leave, compensatory time, and family sick leave for the care of ill immediate family members, before compassionate and catastrophic leave may be used.